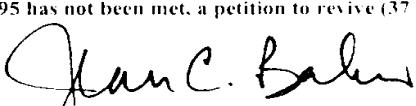


EXPRESS MAIL LABEL NO. E 1875080US

Form PTO-1390 (REV 11-98)		U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 480821.90116
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. ... 10 088 403	
INTERNATIONAL APPLICATION NO. PCT/GB00/03603	INTERNATIONAL FILING DATE 20 Sept 2000 (20.09.00)	PRIORITY DATE 20 Sept 1999 (20.09.99)	
TITLE OF INVENTION PHOTONIC CRYSTAL MATERIALS			
APPLICANT(S) FOR DO/EO/US TURBERFIELD, Andrew Jonathan; DENNING, Robert Gordon			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ul style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO US).</li> </ul> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ul> <p><b>Items 11. to 16. below concern document(s) or information included:</b></p> <ul style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 and Form 1449.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information: Copy of Form PCT/EO 916, Notification of Defective Response Postcard</li> </ul>			

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10 088,403	INTERNATIONAL APPLICATION NO. PCT/GB00/03603	ATTORNEY'S DOCKET NUMBER 480821 90116		
17. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00		<b>CALCULATIONS</b> REVISION 5		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT</b>		\$		
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	-20 =	3	X \$18.00	\$
Independent claims	-3 =	0	X \$78.00	\$
<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>		+ \$260.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS</b> =		\$		
<input type="checkbox"/> Applicant hereby claims small entity status. Reduction by 1/2 for filing by small entity		\$		
<b>SUBTOTAL</b> =		\$		
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.429(f)).		\$		
<b>TOTAL NATIONAL FEE</b> =		\$		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property		\$		
<b>TOTAL FEES ENCLOSED</b> =		\$		
		Amount to be refunded	\$	
		Charged	\$	
a. <input type="checkbox"/> A check in the amount of \$ <u>      </u> , <u>00</u> to cover the above fees is enclosed				
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>17-0055</u> in the amount of <u>\$170.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>17-0055</u> . A duplicate copy of this sheet is enclosed.				
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>				
SEND ALL CORRESPONDENCE TO:				
<p>Quarles &amp; Brady LLP 411 East Wisconsin Ave. Milwaukee, WI 53202-4497</p> <p> SIGNATURE Jean C. Baker NAME</p> <p>35, 433 REGISTRATION NUMBER</p>				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. National Phase Application Corresponding To:

USSN: 10/088,403  
PCT Application: PCT/GB00/03603  
International  
I.A. Filing Date: 20 Sept 2000  
Priority Date: 20 Sept 1999  
Applicant: TURBERFIELD, et al.  
Docket No.: 480821.90116

Assistant Commissioner for Patents  
Washington, D.C. 20231

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RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

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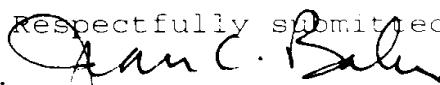
Dear Sir:

In response to the Notification of Defective Response under date of mailing of 04 November 2002, a copy of which is attached hereto and incorporated herein by reference, applicant hereby provides the following information and/or documentation:

1. Combined Declaration and Power of Attorney for Patent Application signed by Applicants, Andrew Jonathan Turberfield and Robert Gordon Dennis, which identifies the citizenship of the inventors.

No fee is required in connection with this response. However, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 17-0055.

November 11, 2002

Respectfully submitted,  
  
By: \_\_\_\_\_  
Jean C. Baker  
QUARLES & BRADY LLP  
411 East Wisconsin Avenue  
Milwaukee, WI 53212  
Reg. No.: 34,433  
(414) 277-5709



## UNITED STATES PATENT AND TRADEMARK OFFICE

United States Patent and Trademark Office  
U.S. Patent and Trademark Office  
Washington, D.C. 20591-0000  
www.uspto.gov

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/088,403	Andrew Jonathan Turberfield	480821 90116
INTERNATIONAL APPLICATION NO		PCT/GB00/03603
IA FILING DATE		PRIORITY DATE
09/20/2000		09/20/1999

Quarles & Brady  
411 East Wisconsin Avenue  
Milwaukee, WI 53202-4497

**CONFIRMATION NO. 2958**  
**371 FORMALITIES LETTER**



\*OC00000009054376\*

Date Mailed: 11/04/2002

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Small Entity Statement

Applicant's response filed 07/24/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 06/12/2002 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the citizenship of each inventor.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

RECEIVED: 11-8-02  
RESPONSE DUE: 12-4-02

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/088,403	PCT/GB00/03603	480821.90116

FORM PCT/DO/EO/916 (371 Formalities Notice)